



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

August 3, 2010

TO THE CITY COUNCIL

Dear Councilors:


I transmit herewith for your approval a home rule petition to the General Court entitled "An Act Amending Contract Procedures in the City of Boston."

At the present time, the City Charter requires that any contract equal or exceeding \$10,000.00 must be advertised and receive Mayoral approval. The \$10,000.00 threshold set by the City of Boston is significantly less than the \$25,000.00 requirement set forth in the State's public procurement law, G.L. c. 30B. This home rule legislation will bring the City into conformity with the provisions of G.L. c. 30B. It will allow the City of Boston to raise the City threshold from \$10,000.00 to the threshold set forth in G.L. c. 30B.

The total number of contracts executed by the City between the amount of \$10,000.00 and \$24,999.99 constitutes approximately 8% of the total number of contracts. The average cost of advertising and executing one contract between \$10,000.00 and \$24,999.99 is \$1,400.00; the estimated annual cost is \$300,000.00. This home rule petition will streamline administrative approval and allow for more timely and practical procurement of goods and services.

I urge your Honorable Body to join me in this effort to bring greater efficiency to contract procedures in the City of Boston.

Sincerely,


Thomas M. Menino
Mayor of Boston

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IN CITY COUNCIL

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston, to be filed with an attested copy of this Order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

AN ACT AMENDING CONTRACT PROCEDURES IN THE CITY OF BOSTON.

SECTION 1. Notwithstanding any general or special law to the contrary, Section 6 of chapter 418 of the acts of 1890 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 262 of the acts of 1998, and inserting in place thereof the following sentence:-

“All contracts made by any department of the city of Boston or by any officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, shall, when the amount involved is at the threshold for purchases requiring competitive, sealed bids or proposals under M.G.L. c. 30B, sections 5(a) and 6(a), or when the contract comes within section 30 of chapter 486 of the acts of 1909, be in writing; and no such contract shall be deemed to have been made or executed until the approval of the mayor of said city has been affixed thereto in writing and the auditor of said city has certified thereon that an appropriation is available therefor or has cited thereon the statute under authority of which the contract is being executed without an appropriation.”

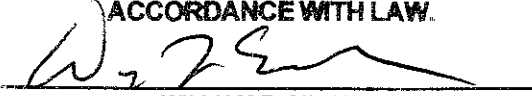
SECTION 2. Notwithstanding any general or special law to the contrary, Section 30 of chapter 486 of the acts of 1909 is hereby amended by striking the entire section, as most recently amended by section 2 of chapter 373 of the acts of 1992, and inserting in place thereof the following:-

“Every officer or board in charge of a department in said city and every officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, when authorized to erect a new building or to make structural changes in an existing building, shall make contracts therefor, not exceeding five, each contract to be subject to the approval of the mayor; and when about to do any work or make any purchase, the

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estimated cost of which alone, or in conjunction with other similar work or purchase which might properly be included in the same contract, amounts to or exceeds the threshold amount as set forth in M.G.L. c. 149A, section 44(2)(C), M.G.L. c. 30, section 39M, and M.G.L. c. 30B, shall, unless the mayor gives written authority to do otherwise, invite proposals therefor by advertisements in the City Record. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve the right to the officer or board to reject any or all proposals. No authority to dispense with advertising shall be given by the mayor unless the said officer or board furnishes him with a signed statement which shall be published in the City Record giving in detail the reasons for not inviting bids by advertisement."

**I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**


WILLIAM F. SINNOTT
CORPORATION COUNSEL SPN